



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masahiko YAMAMOTO et al.

Group Art Unit: 2651

Application No.: 10/680,157

Examiner: V. Nguyen

Filed: October 8, 2003

Docket No.: 117483

For: MAGNETIC MEMORY, MAGNETIC MEMORY ARRAY, METHOD FOR FABRICATING A MAGNETIC MEMORY, METHOD FOR RECORDING IN A MAGNETIC MEMORY AND METHOD FOR READING OUT FROM A MAGNETIC MEMORY

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

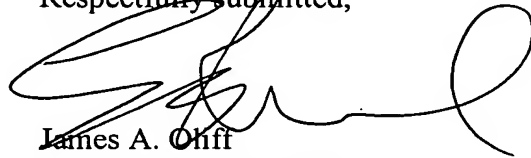
In reply to the February 22, 2005 Restriction Requirement, the period for reply being extended by the attached Petition for Extension of Time, Applicants provisionally elect Group I, claims 1-16, with traverse.

It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: March 31, 2005

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